



16669 U.S. PTO

Express Mail Number: **EV301025996US**

Docket No. **B-4586NP 621546-7**

Date: **December 12, 2003**

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

19270 U.S. PTO
10/735070



Sir:

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): (1) Daniel YAP
(2) Peter PETRE
(3) Joseph S. COLBURN

NOTE: Patent must be applied for in the name of all of the actual inventor or inventors.

For: "TUNABLE RF-LIGHTWAVE MODULATOR"

Enclosed are:

1. **The Papers Required For Filing Date Under 37 CFR 1.53(b):**

16 Pages of specification 1 Page of abstract 10 Pages of claims

7 Sheets of drawings [X] formal [] informal
(Figs. 1-7)

[X] In addition to the above papers there is also attached
[] ___ Pages of a Preliminary Amendment dated _____

- [X] Postcard
- [X] Check for filing fee in the amount of \$1540.00
- [X] Declaration/Power of Attorney (5 pages)
- [] Verified Statement Claiming Small Entity Status--
Small-Business Concern (1 page)
- [] Cross-Reference To Related Application(s) (1 page)
- [X] Claim to Priority (1 page) with
- [] Certified Copy of
- [] Information Disclosure Statement (2 pages) and
Form PTO-1449 (modified) (1 page), with copies of documents
cited in Form PTO-1449 (modified)
- [X] Assignment Cover Sheet (1 page), Assignment document (3 pages),
and Check for \$40.00

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this paper and the documents referred to as enclosed therein are being deposited with the United States Postal Service in an Express Mail envelope with sufficient postage for Express Mailing on this date December 12, 2003 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number **EV301025996US** addressed to the:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Ericca Long

(Typed or printed name of person mailing paper)

Ericca Long

(Signature of person mailing paper)

NOTE: Each paper or fee referred to as enclosed herein has the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 CFR 1.10(b).

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6. Small Entity Statement

☐ Verified statement that this is a filing by a small entity under 37 CFR 1.9 and 1.27.

Filing Fee Calculation (50% of above) · \$ _____

NOTE: If a verified statement is filed within 2 months of the date of payment of first fee then the excess fee paid will be refunded on request. Notice of January 20, 1983. 1027 TMOG 114.

7. Fee Payment Being Made At This Time

☐ Not Enclosed

☐ No filing fee is submitted. This and the surcharge required by 37 CFR 1.16(e) can be paid subsequently.

NOTE: Where the filing is a completion in the U.S. of an international application the fee must be paid.

☒ Enclosed

☒ filing fee \$ 1540.00

☐ recording assignment (\$40.00; 37 CFR 1.21(h)(i)) \$ _____

☐ petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached. 37 CFR 1.47 and 1.17 (h) \$ _____

Total fees enclosed \$ 1540.00

8. Method of Payment of Fees

☒ check in the amount of \$ 1540.00

☐ charge account No. 12-0415 in the amount of \$ _____
A duplicate of this transmittal is attached.

NOTE: Fees should be itemized in such a manner that it is clear for which purpose the fees are paid. 37 CFR 1.22(b).

9. Authorization to Charge Additional fees

☒ The Commissioner is hereby authorized to charge the following additional fees which may be required to Account No. 12-0415:

☒ 37 CFR 1.16 (filing fees and presentation of extra claims)

☒ 37 CFR 1.17 (application processing fees)

☐ 37 CFR 1.18 (issue fee at or before Mailing of Notice of Allowance, pursuant to 37 CFR 1.311(b))

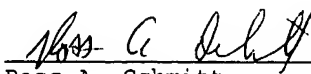
NOTE: 37 CFR 1.28(b) requires "Notification of any change in loss of entitlement to small entity status must be filed in the application...prior to paying... issue fee".

10. Instructions As To Overpayment

☒ Credit Account No. 12-0415 ☐ refund

c/o LADAS & PARRY
5670 Wilshire Boulevard
Suite 2100
Los Angeles, California 90036-5679

Telephone: (323) 934-2300
Telefax: (323) 934-0202



Ross A. Schmitt
Attorney
Reg. No. 42,529

2. Declaration or oath

☒ Enclosed

☒ original ☐ facsimile

executed by:

☒ inventor(s)

☐ legal representative of inventor(s) 37 CFR 1.42 or 1.43

☐ joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached. 37 CFR 1.47.

☐ petition and statement required by 37 CFR 1.47 also attached. See item 7 below for fee.

☐ Not Enclosed

☐ Application is made by a person authorized under 37 CFR 1.41(c) on behalf of all of the above named inventor(s). The declaration or oath, along with the surcharge required by 37 CFR 1.16(e) can be filed subsequently.

☐ Showing that the filing is authorized. (Not required unless called into question. 37 CFR 1.41(d)).

NOTE: Where the filing is a completion in the U.S. of an international application under 35 U.S.C. 371(c)(4) then the declaration must be filed.

3. Assignment

☒ An assignment of the invention to HRL LABORATORIES, LLC.
(with separate cover sheet and separate check for \$40.00)

4. Certified Copies

☐ A certified copy of
from which priority is claimed.

NOTE: Must be referred to in oath or declaration. 37 CFR 1.55 and 163.

5. Fee Calculation

CLAIMS		AS FILED	
Number Filed		Number Extra	Rate Basic Fee \$ 770.00
Total Claims	58 -20=	38 x	\$ 18.00 684.00
Independent Claims	4 -3=	1 x	\$ 86.00 86.00
Multiple Dependent Claim(s), If Any		0 x	\$290.00 0

☐ Amendment canceling extra claims enclosed

☐ Amendment deleting multiple dependencies enclosed

☐ Fee for extra claims is not being paid at this time

NOTE: If the fee for extra claims are not paid on filing they must be paid or the claims canceled by amendment, prior to the expiration of the time period set for response by the Patent and Trademark Office in any notice of fee deficiency, 37 CFR 1.16(d).

Filing Fee Calculation \$ 1540.00